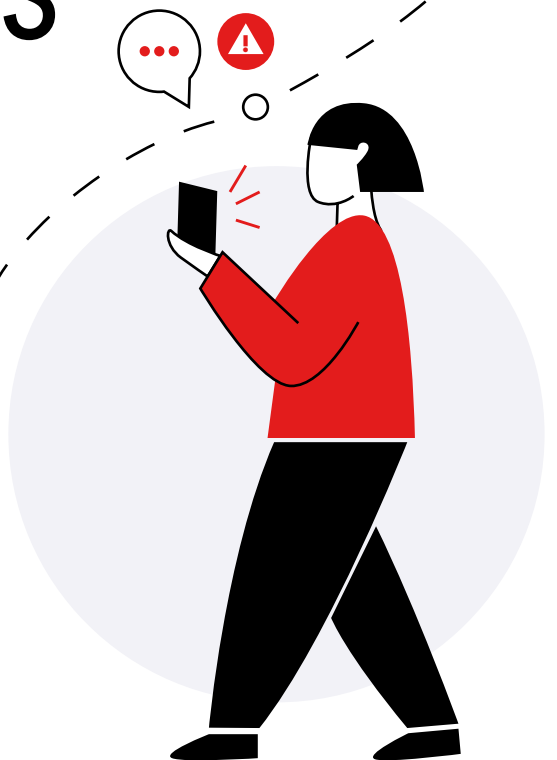
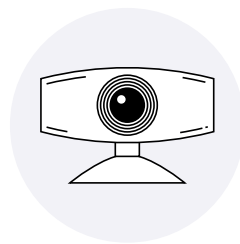


THE IMPACT OF ONLINE CENSORSHIP & DIGITAL DISCRIMINATION ON SEX WORKERS



About ESWA

ESWA is a sex worker-led network proudly representing more than 100 organisations in 30 countries across Europe and Central Asia. Our aim is to ensure that all sex worker voices are heard and that their human, health and labour rights are recognised and protected. With our actions and approach inspired by our membership community, we work to build a strong, vibrant and sustainable network that mobilises national, regional and international advocacy activity that moves us towards long-term, systemic change.

Contents

1	Introduction	1
2	Overview	2
3	ESWA Consultation with member organisations & community members	5
	3.1 Impact on self-expression, freedom of speech and mental health	6
	3.2 Impact on financial stability	9
	3.3 Impact on agency and independence	13
	3.4 Impact on community and political organising	16
4	Conclusion	19
5	Recommendations	20
	References	21

Introduction

This paper is the first in a series of resources that will be developed by the European Sex Workers' Rights Alliance (ESWA) as part of its Digital Rights programme that aims to explore the intersecting issues of sex work and digital rights. Since the beginning of the 21st century, communications has been steadily changing, becoming ever more digitalised. The pace of this digitisation has increased in more recent years, and internet-mediated information and communication technologies (ICTs) have become an essential part of society's day-to-day functioning in many parts of Europe and Central Asia. During the COVID-19 pandemic, countries experienced a halt in many of the in-person services that citizens took for granted, such as health services. This situation amplified the desire and need for more digital solutions, and it demonstrated the importance of digital communications and information tools in today's world.

Sex workers are impacted by the rapid changes towards a more digitalised structure of daily life, and technological developments have caused sex workers to alter their ways of working. They can now advertise, find and screen clients, communicate and exchange information with their colleagues, access helpful information and organise politically online. Despite the many benefits of digitalisation in sex workers' lives, it has also created new threats that their communities have needed to develop coping strategies in response to. Especially in recent years, sex workers have been experiencing increased exclusion and discrimination from online platforms and other digital services, such as social media platforms, advertising websites, financial services and payment platforms, website hosting providers, billing companies, and dating apps, to name a few. This exclusion and discrimination often stem from - or are fuelled by - harmful laws and regulations governing digital services in addition to anti-sex work policies of private companies. Moreover, newer technologies, such as algorithmic and automated decision-making (ADM) tools, are increasingly used by many digital services and platforms and exacerbate the exclusion and discrimination sex workers experience on those platforms and services.

Regardless of the source of digital exclusion and discrimination, its impact on sex workers' agency, autonomy, general wellbeing, rights, safety and citizenship are already highly visible in the community. It is therefore a crucial topic that needs to be discussed at the regulatory and policy level, which this paper aims to do. In what follows, we first provide an overview of the current literature on online exclusion and discrimination of sex workers, identifying the most common trends and issues. Then, we draw on sex workers' expertise by examining the results from our online consultation and interviews and expand on the issues faced most by sex workers in Europe and Central Asia. Lastly, we outline our recommendations to relevant stakeholders to tackle the digital exclusion and discrimination faced by sex worker communities in this region.

Overview

Sex workers are no strangers to communication technologies; even before the internet, sex workers often utilised existing tools, such as ads sections in newspapers and magazines, to promote their services, to reach clients and to gain visibility amongst potential clients. With the invention of the telephone, sex workers gained yet another tool to engage with clients. This also enabled different ways of working, in the form of phone sex. Similar to its predecessors, the internet was adopted by sex workers early on. It is documented that some of the earliest chat rooms were created and used by sex workers to communicate with clients and advertise their services and that the online sex work market was already functioning well in the 1980s (Barrett-Ibarria, 2018). However, mention of the significant contributions of sex work and sex workers in the development of digital technologies is not easily encountered (Smashboard, 2021; Stigma, 2021).

One of the main drivers of sex workers' early adoption of new technologies is undoubtedly the stigma, discrimination and criminalisation they face in their daily lives. Information and communication technologies (ICT) offer many potential benefits that help counter some of these issues to a certain extent while giving more options to sex workers for how they conduct their business. Today - due to the widespread use of the internet and increasing availability of mobile devices - some argue that ICT-mediated sex work in Europe and Central Asia could make sex work safer, by offering sex workers more control over their work, compared to more traditional ways of working. Working on the street or in brothels poses a higher risk of violence from the police, clients, or people who pose as clients (Beyond the Gaze, 2018; Jonsson et al., 2014). In comparison to brothel work, for example - where workers are managed by a brothel owner - sex workers who have the resources and certain privileges (e.g. access to the internet and devices, and appropriate levels of digital literacy) can enjoy increased independence via the use of online platforms and other digital services. On the other hand, other scholars argue that the internet-mediated work and its benefits are exaggerated; research has drawn attention to the arrival of new power relationships between platforms and sex workers which impact sex workers' agency and wellbeing in negative ways (Hardy & Barbagallo, 2021; McDonald et al., 2021).

Although digital services and platforms may hold some potential for improving sex workers' lives, they also bring new challenges. Sex workers are experiencing high levels of censorship on social media platforms because of their identity as sex workers or sex workers' rights activists, where their content is removed and accounts are banned frequently (Bitch Media, 2021). Newer and more hidden ways of exclusion such as shadow bans - where a user's account or certain content they post are made less visible - are imposed upon sex workers on mainstream social networks (Hacking//Hustling, 2020). Other

platforms and services such as Airbnb also target sex workers, via the use of algorithms that can detect phone numbers of sex workers (Survivors Against SESTA, 2018). Once detected, many sex workers are banned directly - even if they haven't used said services for work purposes (Global Network of Sex Work Projects, 2021).

Financial services and payment processors often discriminate against sex workers. Some banks refuse sex workers' requests to open a bank account or block sex workers' existing accounts on suspicion of illegal activity (Makortoff & correspondent, 2021). In some cases, sex workers are asked to prove the source of their income or face serious financial restrictions, such as the refusal of loans (Netherlands New Live, 2021; BBC News, 2021), even though it is well established that such practices constitute significant barriers to sex workers' economic empowerment (Chakrabarty & Sharma, 2018). These barriers make both continuing and exiting sex work harder and have negative consequences for sex workers' health and wellbeing (Moret, 2014). Payment processors and platforms such as PayPal and Mastercard (Global Network of Sex Work Projects, 2015; Cole, 2022) are also known for their discriminatory attitudes towards sex workers who use their services. Many sex workers report loss of their accounts on PayPal due to their sex work identity. In many cases, sex workers lose the balance that is left in their suspended PayPal account, at times with no possibility to recover their account or their money (Swords et al., 2021; Tusikov, 2021).

Such exclusionary attitudes and practises are exacerbated by laws and regulations that govern the internet and digital services. A well-known example of such laws is the Fight Against Online Trafficking Act (FOSTA/SESTA), a bill that originated in the United States and was signed into law in April 2018 by former president Donald Trump. The law removed the principles of intermediary liability on online platforms, which previously meant that platforms were not liable for content posted by their users. FOSTA/SESTA introduced a requirement that online services must not facilitate or promote prostitution. Because of the broad definition of trafficking, and the conflation of sex work and trafficking, once this law was implemented platforms and digital services could be held liable for facilitating human trafficking for sexual exploitation (Global Network of Sex Work Projects, 2018). As a reaction to this law, many online services and platforms increased the level of exclusion of sex workers. Sex workers have lost important platforms that they worked on, such as Backpage in the United States and many more worldwide. The impact of harmful laws that are weaponised against sex workers - and the dangerous conflation of trafficking and sex work - has been criticised by many experts, who argue that laws such as FOSTA/SESTA are not actually effective in tackling human trafficking and perpetuate the dangerous conflation of trafficking and sex work (WHYY, 2020; Romano 2018). Due to this conflation and the broad definition of trafficking, such laws cause an over-censoring of content and accounts and closure of sex workers' online workplaces (Russo, 2020; Grant, 2021). A community report written

and published by Hacking//Hustling, a sex worker-led organisation based in the United States, points at the impact of FOSTA/SESTA on sex workers in the United States. According to the report, a staggering 73% of their research participants said that their financial situation had changed since April 2018, following the approval of the law. While 72.45% of respondents expressed increased financial instability, 33.8% said the violence from the clients had increased (Hacking//Hustling, 2020, p.18).

These policy developments in the regulation of digital spaces take place among wider societal debates regarding freedom of speech and expression, the 'right' place and meaning of nudity and pornography in the public sphere, and its impact on children and women's rights (Stardust, 2018). The democratisation of digital tools and media, and the self-production of sexual images and pornographic content, in particular, has brought a renewed energy to such topics. Whilst concerns regarding children's protection and victims' rights are shared by many actors, including sex workers' rights organisations, the current campaigns and policy development to abolish pornography and sex work (including the censorship and exclusion of sex workers), are worryingly supported and funded by various conservative forces, including fundamentalist religious organisations, many of them based in the United States (Open democracy, 2018).

ESWA consultation with member organisations & community members

ESWA collected qualitative data for this paper through an online survey (made available in English, Spanish, French and Russian) and in-depth, semi-structured interviews with sex workers and sex workers' rights organisations in Europe and Central Asia in the second half of 2021. The invitation to fill the online survey and the call for interviewees were distributed through ESWA members' mailing list. The interviews were approximately one hour long, and participants responded to between eight to ten questions that sought to uncover the types of online censorship and digital exclusion sex workers experience, and their impact on the different communities of sex workers in different local and national contexts.

In total, 21 respondents (12 representatives of organisations and 9 individual sex workers) from 17 countries contributed to the paper by taking part in our consultation process.

The list of countries of the respondents are as follows:

Austria	Norway
Belgium	Poland
France	Portugal
Germany	Russia
Greece	Spain
Ireland	Sweden
The Netherlands	Switzerland
North Macedonia	Turkey
	United Kingdom

3.1 Impact on self-expression, freedom of speech and mental health

ESWA's consultation with sex workers and sex worker-led organisations shows that discrimination from digital services experienced by sex workers is a pressing issue that has grave consequences for their freedom of speech. Sex workers use digital services not just for commercial purposes but also to connect, express their opinions and exchange health and safety information with their colleagues and others in their social networks. However, censorship and discrimination by online platforms means that sex workers are disconnected from networks that have become the mainstream way to interact with the world today. While discrimination and censorship can take place anywhere online, mainstream social media platforms like Facebook and Instagram were mentioned by the majority of the respondents, pointing at the systematic exclusionary practices by these platforms.

"It is crucial for sex workers to use social media platforms, as well as dating sites and apps, first of all, to express themselves, to keep their mental health and then to be able to share their stories and experiences and be visible."

STAR, organisation, North Macedonia

"Many sex workers with whom we are in contact have experienced censorship or ban on social media. Especially Instagram is a problematic platform, and it purges its space of sex work connected content."

Sex Work Polska, organisation, Poland

When sex workers are censored through partial or full account bans on a platform, their ability to voice their opinions and communicate their reality is drastically reduced. While platforms also impose bans on sexually explicit content, it is not the only type of content they are restricting through content moderation. In many cases, the non-sexual content of sex workers was also subjected to censorship and wrongfully flagged as sexually explicit content.

“I once posted a picture of me in a bikini on the beach, fully covering my tits and everything, you know, nothing visible, and it got deleted three times. First time for sexually explicit content. Second time for bullying and harassment. Third time for sexually explicit content again. I got so angry, and I collected pictures of what is available on Instagram of white women doing much more explicit things, which is good for them, it’s amazing, and I am very happy for them, but I just want the same rights. I don’t want to be censored because I am a brown, queer, sex worker and open about that.”

Kali, sex worker, Spain

“It’s just crazy because I see everyday people posting much more explicit content than mine. I cannot describe the rage for this injustice I have in me. Why is there no equality?”

Damien, sex worker, Austria

Participants also frequently expressed that sex workers have other intersecting marginalised identities such as being migrants, racialised people, LGBTIQ+, who are disproportionately affected by online censorship and discrimination on social media platforms. Many participants felt their intersecting marginalisation increased the risk of being banned or shadowbanned on social media platforms.

“It is interesting to see which bodies are censored more, you know, obviously, the ones that are within the heteronormative standards are not getting deleted at the same rate as people who don’t fit in those standards. I got deleted once for sitting face to face with another Asian woman, and we were kissing, but not with a tongue or anything, and it got deleted. On the other hand, heterosexual couples are pseudo-fucking on the same platforms and are not deleted. Can’t I even kiss my girlfriend and put a photo of it?”

Kali, sex worker, Spain

Sex workers often experience feelings of isolation due to the stigma prevalent in society (European Sex Workers Rights Alliance, 2021) and their mental health is impacted by the discrimination they face on digital platforms, similar to the impact of discrimination faced offline. Moreover, the restrictions imposed by governments due to the COVID-19 pandemic increased the importance of access to online communication tools. Exclusion from such platforms and services exacerbates the feeling of isolation, causing anxiety and depression experienced by sex workers.

“It is so upsetting, and it really affects my mental health. Getting censored is basically like getting handcuffed by the police, being told to shut up and essentially, your voice is being taken away. You are in custody, and you can’t do anything about it. It is triggering for me because I was arrested before, and getting censored like this feels similar. It is just terrible.”

Kali, sex worker, Spain

Additionally, sex workers and their organisations expressed deep discontent regarding the lack of transparency in content moderation, decision making and accessible redress mechanisms (ways to challenge decisions taken by the online services). A large number of sex workers who have been censored or removed do not contact the platforms to ask for an explanation or to challenge the platforms’ decisions, primarily because attempts made by some sex workers are rarely successful. Moreover, censorship and exclusion on some platforms are distributed unevenly, according to a double standard. While sex workers are banned for disclosing information about sex work or nudity, gender-based violence cases such as rape threats against sex workers can go unpunished.

“My Instagram was first shadowbanned then deleted after five years and 20K followers. I posted the same content as others. I tried everything I could but never even got to speak to an actual person. My Twitter was also deleted after several years, and I hadn’t even been active for two months. I made a claim that it was wrongly deleted, but nothing helped.”

Lilly, sex worker, Sweden

“I’ve been harassed on Twitter with rape and death threats. I sent reports to Twitter, and they said, ‘we didn’t find any community violations; if you don’t like what the person is saying, you can block them’. It is the same with Instagram.”

Kali, sex worker, Spain

Lastly, some participants pointed out the opaque nature of the methods and procedures of content moderation as, in many cases, they were not sure if the censorship and discrimination was the result of algorithmic content moderation or human review. Algorithms are used increasingly for content moderation by platforms due to their ability to process large amounts of data and make fast decisions. However, their ability to correctly understand and judge context is poor. Algorithms can produce false positives, increasing the number of posts and accounts flagged (Gorwa et al., 2020).

“We have challenged every censorship decision, and we have been dismissed automatically in a split second by the same automatic system that claims to be reviewed by humans. Even when talking in metaphors, we can’t use certain words. We also know non-sex workers who have been banned simply for using words the systems associate with sex work.”

PION, organisation, Norway

3.2 Impact on financial stability

In addition to their social function and purposes, online platforms are frequently utilised by sex workers for economic means, for example, to advertise their services directly on platforms and to drive traffic to their own web pages or other platforms where they advertise. The respondents described how the importance of social media platforms increased sex workers’ economic empowerment and financial stability in the face of shrinking traditional workplaces.

Moreover, respondents expressed their frustration regarding OnlyFans' initial decision (August 2021) of banning sexually explicit content. OnlyFans, an online content subscription service, claimed that the decision was made due to the pressure they faced from the banks and Mastercard (Novara Media, 2021). OnlyFans' statement was met with disappointment and anger by sex workers who used the platform as an additional or primary source of income during the COVID-19 restrictions. A week later, the decision was suspended; however, it had already caused substantial stress and loss of income to many sex workers (European Sex Workers Rights Alliance, 2021).

“Social media is vital for sex workers to find clients in Turkey. The spaces that sex workers work in are diminishing. There used to be many girls working in the streets in Ankara; however, there is so much police presence now and they can't work on the streets anymore. The situation is similar for sex workers who work in brothels because brothels are also being shut down. That's why it was also extremely stressful for sex workers when OnlyFans wanted to ban sexually explicit content because many sex workers rely on that platform for additional income.”

Red Umbrella Sexual Health and Human Rights Association, organisation, Turkey

“Digital media today is fundamental for any profession. There are only a few clients left who still use newspaper advertisements. And when it comes to online sex work, this censorship hinders us even more, as we end up having to limit ourselves to adult sites for dissemination, we can't use other social networks like Facebook or Instagram, when we do it, it's always very cautious so that we don't lose our accounts.”

Movimento dxs Trabalhadorx do Sexo, organisation, Portugal

Internet-mediated sex work, which was already on the rise due to the growing availability of ICTs, greatly increased during the COVID-19 pandemic and associated restrictions. During the various lockdowns, online platforms were a lifeline for many sex workers; they were able to work indoors or in different ways, such as camming or selling images or videos, when alternatives

were scarce. The de-platformisation of sex workers therefore severely impacts their financial wellbeing by depriving them of work and income opportunities. As the respondents explained, being censored and discriminated against on platforms poses a significant threat to their financial stability.

“The exclusion from social platforms means that sex workers lose access to safety networks and information. But on a more basic level, they lose the platforms where they make their living. It also furthers the stigmatisation of sex work and sex workers themselves.”

Red Umbrella Sweden, organisation

“[When we are banned] we lose all our clients’ contacts made during the last years with the hard labour of maintaining a clientele. It impacts sex workers’ mental health with imposed precariousness. Some sex workers end up with nothing to pay the rent or feed their kids.”

STRASS, organisation, France

“Sex workers’ IP addresses are also known after a few times being blocked on these platforms so they cannot even open new accounts. It does impact sex workers’ financial wellbeing substantially.”

Red Umbrella Sexual Health and Human Rights Association, organisation, Turkey

It is not only social media platforms that sex workers face exclusion from. Financial services and online payment platforms discriminate against sex workers, which has a direct impact on their financial stability. While global payment processors such as Mastercard are well known for their anti-sex work policies, they also pressure other services to stop working with sex workers, as explained earlier. Other payment platforms such as PayPal regularly shut down sex workers’ accounts. Moreover, sex workers report occasions where the platform has confiscated any funds left in the account. Such instances even happen to sex workers who live in national contexts where sex work is not considered a crime, and where sex workers are required to pay taxes from their earnings.

“They froze my account for six months, and only after six months, they would evaluate my case to decide if they would give me my money. I was like, ‘what do you mean you evaluate? This is my money’. I needed that money to pay rent that month. So, I had to do more sex work and hustle more that month because of this. Now, on any platforms that I receive money through, I take the money out immediately.”
Kali, sex worker, Spain

In addition to payment methods, banks were also mentioned by the majority of respondents as an example of institutionalised discrimination that negatively impacts sex workers’ economic empowerment and financial stability. Either because of the pressure from national laws and regulations, that conflate sex work with trafficking, or anti-sex work ideology, many banks suspend or close sex workers’ accounts. The situation is worse for migrant and racialised sex workers, who are often suspected of being victims of trafficking. Such discrimination and sex work stigma also affected sex workers who were impacted by the COVID-19 pandemic and wanted to apply for financial support from the government and sex workers’ rights organisations.

“Many women in our group who have convictions or cautions are permanently excluded from accessing a range of financial online services such as insurance and banking. For migrant women, the situation is worse as ‘modern slavery’ protocols are used not for protection but to ostracise and marginalise women. Many women in our network have challenged banks closing their accounts for no reason. Sometimes the banks discriminate and exclude sex workers because sex workers’ clients who are refusing to pay raise spurious accusations against the woman and the bank sides with the man against the woman - gross sexism. We tried to take legal action against discrimination against a bank in one case but stigma prevented the women from pursuing the case. In one situation, a COVID-19 related loan was refused and the bank only reversed its position after protests and the involvement of a parliamentary committee. In other cases, women have had to try and recover funds and change banks. In one case a woman was discriminated against by a lawyer who refused to represent her because they said payments in her bank account were suspicious. The lawyers claimed that they were concerned the woman was trafficked or being exploited even though the woman herself said this wasn’t the case. A clear example of stereotyping migrant women as victims.”

English Collective of Prostitutes, organisation, United Kingdom

“Recently Norway updated its money laundering laws, and as a result, banks have cracked down harder on incomes they do not know the origin of, which means a lot of sex workers have had their bank accounts frozen and lost their bank ID, which is required to do pretty much everything in Norway.”

PION, organisation, Norway

“During the pandemic, we got a hardship fund to directly pay people’s accounts but there was a risk of people not being able to get credits or mortgage because our name would appear in their bank statements.”

Sex Workers Alliance Ireland (SWAI), organisation

3.3 Impact on agency & independence

The exclusion from digital spaces and services also impacts the agency and independence of sex workers. In the earlier years (2010 onwards), the platformisation of sex work was seen as a positive development and many argued that platform work would help sex workers become more independent by removing the need for individual third parties. While respondents also agreed that platforms and other digital services have a great potential to empower sex workers, current platform design and policies can, simultaneously, have the opposite effect. Sex workers who experience any sort of exclusion on digital spaces often see a decline in their number of clients and income. This, in turn, negatively impacts their power to negotiate the terms of their work when it comes to price and condom negotiation. Moreover, this exclusion means that safer and more accessible platforms for generating income are lost to sex workers, and sex work is pushed further underground, making sex workers easy targets for predatory individuals. The exclusion from more mainstream platforms and services creates a migration wave to other platforms that may offer less security, privacy, traffic and concern for fundamental rights.

“It is hard for us to thrive within sex work, and exclusion makes the step to transition from sex work to other work harder.”

Red Umbrella Sweden, organisation

“We hear from sex workers who use Twitter for social or work purposes that their accounts are being taken down frequently. As a result, now there are these intermediaries who claim that the accounts they open on Twitter are safe from being blocked and that if the girls ever want to work on Twitter, they have to pay these third parties high fees. And most sex workers are not able to pay those fees. These individuals contact sex workers to extort money from them by threatening them to get their accounts banned. If sex workers can’t get enough clients due to censorship, this means their ability to choose clients or negotiate condoms are significantly reduced.”

Red Umbrella Sexual Health and Human Rights Association, organisation, Turkey

“We know that activists are subjected to reporting raids and frequently see their accounts suspended. The freedom to undertake work, and express oneself is impacted. But the main impact is economic. It is our insecurity and the loss of our independence. It pushes us to work with intermediaries whether they are platforms or producers who do not always have great respect for the rights of the job.”

Eva Vocz, sex worker, France

Sex workers’ rights organisations have drawn attention to the impact of criminalisation of sex workers on their agency and independence. In particular, third-party laws explicitly developed to ‘protect’ sex workers from exploitation lead to more exploitative working conditions due to the criminalisation of anyone supporting or facilitating sex work. While some laws, such as FOSTA/SESTA, affect sex workers globally, other national laws, such as obscenity, classification and content moderation laws, are used exclusively to target sex workers who work online. Our respondents argued that laws that prevent sex workers from advertising and undertaking other work-related activities are detrimental as digital services use them as an excuse to draft and impose discriminatory terms and conditions and policies. Furthermore, the disempowerment is magnified in criminalised contexts, such as in France, where sex workers are forced to migrate to advertisement platforms that are based in other countries, which can be challenging to access and create additional costs for sex workers.

“In Turkey, we have a law that defines obscenity which is illegal, and we didn’t see this law being applied to anyone else but sex workers. When sex workers are arrested, their social media posts are used as evidence in court. Even if they are not found guilty of prostitution, they are being charged with obscenity. ‘Obscenity’ in the Turkish context is not just about visual material. Sex workers can be charged with obscenity with their written posts too. Other harmful international laws also affect sex workers in Turkey because all the big platforms follow the rules imposed by the United States.”

Red Umbrella Sexual Health and Human Rights Association, organisation, Turkey

“Due to censorship and exclusion, we have to pay more money on adverts on foreign websites that take advantage of France’s bans. When we try to recover our profiles, we are never successful because the platforms argue their terms of conditions. Sometimes they say they have to adapt to laws that ban sexual content online to protect children.”

STRASS, organisation, France

“FOSTA/SESTA is forcing sex workers out onto the street instead of letting them work from the safety of their homes.”

Sarah, sex worker, Sweden

“Rosпотребназор [The Federal Service for Surveillance on Consumer Rights Protection and Human Wellbeing] regularly makes decisions to block websites on which sex workers advertise their services. These decisions are made by the courts, on the basis that this information is harmful to children.”

Russian Forum of Sex Workers, organisation, Russia

3.4 Impact on community & political organising

The vital role of digital platforms and services in community and political organising is known to many. Today, an online presence is considered crucial for advocacy and lobbying activities, and for creating space for public discussion and interaction. Today almost all political parties and civil society organisations have accounts on many mainstream media platforms, and a significant portion of daily communication activities happen on these platforms. The situation is no different when it comes to sex workers organising. Many sex worker-led organisations utilise mainstream social media platforms to reach relevant audiences, promote their events, mobilise sex workers and allies, and contribute to the public debate.

However, our respondents expressed their growing concern and frustration about the discrimination they face from platforms when trying to use them for community organising. Many mentioned that social media accounts of sex worker-led organisations are being banned, or their content is restricted and removed regularly. Algorithmic decision making (ADM) systems used by platforms also increase the likelihood of content or an account being restricted and removed, as the very words used by sex workers to describe their lives, such as 'sex work', are often flagged. Moreover, the lack of clarity in the decision-making processes of platforms and appropriate redress mechanisms were raised by our participants as significant obstacles in challenging discriminatory decisions of platforms.

“Nowadays, it is crucial for any organisation to have social media platforms, through which it will share news and information primarily with its community, and make an influence on, as well as with the general public. Having social media presence is an important part of growing our organisation, increasing awareness and fighting for our rights, and promoting sex work as every other profession. We believe that using the terms 'sex work' or 'sex workers' are the reasons for STAR's official accounts being reported and restricted, for example, in our past Twitter account.”

STAR, organisation, North Macedonia

“We [had] our Instagram account deleted twice in a row in March 2021. Later, when we tried to set up a new account, it was very problematic. We had to change the phone number and email address linked to the account in order to set up a new account. We also had to change the account’s name not to include the word ‘sex work’. Suspension or even removal of our account is very stressful and demotivating.”

Sex Work Polska, organisation, Poland

“I have my own blog on the social network VKontakte, where I post information about the protection of the rights of sex workers. Several months ago, my page was blocked due to ‘abuse and excessive activity’. Although I never did any mailings from the page, I did not ask to be friends with others. After the complaint, it was difficult to restore access to the page. Several years ago, VK also blocked my previous profile for no reason.”

Russian Forum of Sex Workers, organisation, Russia

The consequences of exclusionary community standards and terms of services of platforms is at the root of the harms caused by algorithms. The use of algorithms in content moderation to enforce the discriminatory attitudes of the platforms create varied issues for sex workers’ rights organisations; such as decreased levels of visibility, ability to organise, communication between the members and the organisation, as well as loss of important data and content such as contacts, advocacy materials and artwork. Furthermore, contacts maintained between sex workers’ organisations and sex workers at the local level through social media can be disrupted when online accounts are shut down. Sex workers’ rights organisations are often underfunded, and they lack human resources. In some cases, it was reported that emergency COVID-19 funds raised by sex workers’ rights organisations were lost to the digital payment platforms after being banned from the service.

“The consequences are huge. Lack of visibility, lack of advertisement, lack of opportunities to fight for our rights, not being able to present our ideas, the mission and vision, lack of promotion of events, protests and gatherings. All that is very hard for us because of the bans of platforms. We must write in codes, use very neutral material, pictures or videos, and you should never write hashtags in postings like #sexwork, #sexworkactivists, #sexworkiswork or something similar. How can we change the system and address our problems if we cannot even promote our program and events online?”

Damien, sex worker, Austria

“We are wasting our time and energy. We have less impact on our communication because we are shadowbanned. Some sex worker organisations have to go to the Banque de France [because private banks refuse sex workers’ organisations] to get a bank account opened. It takes months, and meanwhile, we can’t request grants or receive membership dues by online payments. In Toulouse, the organisation Griselidis lost all the donations made during the COVID-19 crisis after financial services banned them. We argued with PayPal for months, saying we are not an illegal organisation and that we don’t benefit from sex workers’ money. We had to provide all the legal documents about our registered status but eventually, they maintained their ban.”

STRASS, organisation, France

As it can be understood from the experiences of sex workers and sex workers’ rights organisations, online censorship and digital exclusion negatively impacts the ability to self-organise and maintain a strong online presence in order to promote human rights for sex workers and contribute to public debate. Moreover, this exclusion creates an additional burden for sex workers’ rights activists who end up spending valuable energy, time and other limited personal and organisational resources on workarounds and circumventions.

Conclusion

Sex workers face a myriad of challenges in digital spaces exacerbated by policies and regulations by both private companies and governments. While online platforms and other digital services offer important tools for sex workers to work, self-organise and access information, these potential benefits are overshadowed by their systemic exclusion from digital spaces. Social media platforms frequently impose bans on sex workers' accounts, damaging their freedom of speech and financial services. Payment platforms suspend sex workers' accounts and contribute to their financial disempowerment and poverty. The censorship and exclusion by digital platforms and services impact sex workers' agency by depriving them of safer working conditions and the power to negotiate condoms and prices due to reduced numbers of clients and rising financial instability.

Sex worker-led organisations are also disproportionately excluded from digital services and platforms. Therefore, sex worker-led organisations' ability to be present and visible on these platforms is reduced significantly. Many organisations' accounts or contents are restricted or removed regularly. By identifying content and accounts that include the term 'sex work' as harmful or illegal, algorithmic content moderation impacts organisations' capacity to communicate with others and contribute to public debate and the democratic organisation of society. Furthermore, the lack of transparency in decision-making processes, ethical considerations in design, and meaningful involvement of marginalised communities in policymaking worsen the digital human rights violations that sex workers experience.

The criminalisation of any aspect of sex work, including the criminalisation of third parties and clients, increases the stigma and violence faced by sex workers and contributes to the deterioration of sex workers' health, safety and well-being. Moreover, the criminalisation of sex work encourages digital services and platforms to make discriminatory design and policy choices, worsening the isolation, stigma and financial instability that sex workers experience.

Recommendations

For sex worker-led organisations:

- Community learning and peer education on various digital rights topics should be made one of the priorities. Digital security trainings and harm reduction strategies to tackle digital exclusion and discrimination should be communicated to sex workers, especially to migrants, LGBTIQ+ and racialised workers.

For funders:

- Sex worker-led organisations should be supported by providing funding for in-depth explorations of issues such as digital exclusion and discrimination against sex workers. In addition, funding must be made available for peer education and community development for digital security trainings.

For digital services and platforms:

- Social media platforms must revise their opaque algorithms used in content moderation in consultation/partnership with sex workers' rights organisations. Furthermore, how content moderation algorithms work must be available, transparent, explainable and accountable to users.
- Content moderation standards must be based on values of fundamental human rights to protect the health, safety, freedom of speech and other rights of sex workers on platforms.
- Sex workers and other users must be given appropriate, timely and accessible redress mechanisms and ways to challenge discriminatory decisions made by the platforms.
- Platform design and policies must be based on ethical principles that prioritise consideration of the potential and actual impact on marginalised communities.

For policymakers and governments:

- Decriminalise sex work to protect sex workers from stigma and criminalisation and promote the human rights of sex workers.
- Sex workers and other marginalised communities must be meaningfully included in the policymaking and law-making processes.
- Regulatory safeguards must be created to prevent discrimination and exclusion of sex workers from online platforms and financial services.
- Harmful laws such as FOSTA/SESTA and obscenity laws must be repealed.

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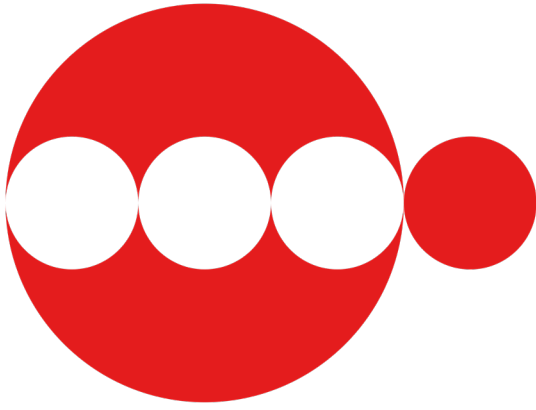
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